

SUBSTITUTIONS



*Substitutions*

If awarded the contract(s), the successful bidder must use the DVBE subcontractor and/or supplier proposed in the final bid/proposal unless the contractor requested a substitution from the school district prior to the execution of the contract and the school district has approved such substitution. At a minimum, the request must include:

- 1. A written explanation of the reason for the substitution,
- 2. The identity of the person or firm substituted, and
- 3. Satisfactory evidence that the DVBE contract participation certified in the original bid/proposal will still be met after the substitution.

The school district’s approval or disapproval of the substitution is not to be construed as an excuse for noncompliance with any other provision of law including, but not limited to, the Subletting and Subcontracting Fair Practices Act or any other contract requirements relating to substitution of subcontractors.

**FAILURE TO ADHERE TO AT LEAST THE DVBE PARTICIPATION PROPOSED BY THE SUCCESSFUL BIDDER MAY BE CAUSE FOR CONTRACT TERMINATION AND RECOVERY OF DAMAGES UNDER THE RIGHTS AND REMEDIES DUE THE SCHOOL DISTRICT/STATE UNDER THE DEFAULT SECTION OF THE CONTRACT.**

